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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/892,281	06/26/2001	Daniel Tejjido	064750.0438	2149

45507 7590 04/20/2005

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EXAMINER

DERWICH, KRISTIN M

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/892,281	TEIJIDO ET AL.	
	Examiner	Art Unit	
	Kristin Derwich	2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 and 17-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/30/03</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1-21 are pending. Claims 1-10 and 17-21 are withdrawn from consideration.

Election/Restrictions

2. Applicant's election without traverse of claims 11-16 in the reply filed on March 10, 2005 is acknowledged.

Specification

3. The disclosure is objected to because of the following informalities: In the detailed description, pg. 8, paragraph 3, line 8, applicant refers to "the X.500 directory 102 (see Figure 4)" and first, does not specify which figure 4 drawing is being referenced since there are figures 4A-4C and second, there is no item 102 on any of the figure 4 drawings that embodies the X.500 directory. In addition, pg. 30, paragraph 2, line 1 states, "Referring to FIGURES 6A, 6B and 6C", however, these figures do not exist. It is assumed the applicant meant FIGURES 4A, 4B and 4C.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 12-16 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claims 12 and 15 recites the limitation "caveat" in line 3 of claim 12 and lines 8-13 of claim 15. It is not clear what is meant by the term "caveat" and there is insufficient explanation given in the specification. Unless applicant intended caveat to be used how it is defined in the English dictionary, then proper clarification is needed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Hereafter patent literature that is referenced as prior art will be cited by column and line number in the form of (column number:line number range). For example, the citation (6:23-27) refers to lines 23-27 of the 6th column in the reference.

6. Claim 11 rejected under 35 U.S.C. 102(b) as being anticipated by Howell et al. (Howell), U.S. Patent No. 5,276,901.

As per claim 11:

Howell discloses a method of layered defense-in-depth knowledge-based management, comprising:

authenticating a user of the knowledge base (6:6-10 wherein the user being on the access list functions as authenticating the user);

determine the clearance level of a requested document by the authenticated user (6:16-19);

determine the clearance level of the authenticated user (6:19-23);

comparing the clearance level of the document with the clearance level of the authenticated user (6:19-23);

and displaying the secure document to the authenticated user in response to the clearance level of the user dominating the clearance level of the requested document (6:23-26, wherein granting access to the document functions as displaying it).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 12-14 rejected under 35 U.S.C. 103(a) as being unpatentable over Howell (U.S. 5,276,901) as applied to claim 11 above, and further in view of Erickson, U.S. Patent No. 5,765,152.

As per claim 12:

Howell fails to teach a method further comprising determining the allowance of both a document caveat and clearance access in response to the comparison of the

clearance level of a document with the clearance level of the authenticated user. However, Erickson discloses a method wherein the document is assigned a set of permissions which function as document caveats, and these permissions, used in conjunction with the clearance access of the document are used to determine whether a user is allowed access to the document (3:25-26).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize document permissions when determining user access to a document because this adds control to how the document is used since the user can only manipulate the document as defined by its permissions, hence, the document cannot be written or saved if it is not in the permissions of the document (10:61-65).

As per claim 13:

Howell fails to teach a method further comprising encrypting and signing the authenticated user. However, Erickson discloses a method wherein the user must have a digital signature (21:34-37).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to require the user to present a digital signature because this would add an extra layer of security and prevent someone from stealing the actual user's identity.

As per claim 14:

Howell fails to teach a method wherein authenticating a user comprises a certificate authority program running on a server. However, Erickson discloses a

method wherein a user's digital signature, signed by a certification authority, is used to authenticate the user (21:40-45).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to use a certification authority when authenticating a user because the unique code the authority uses becomes apparent before anything is encrypted to the key which can only be signed by the individual using the matching key (21:45-48). Therefore, the certification authority acts as a trusted third party wherein when it verifies something, both sides can be sure that it is authentic.

8. Claim 15 and 16 rejected under 35 U.S.C. 103(a) as being unpatentable over Howell (U.S. 5,276,901) and further in view of Erickson (U.S. 5,765,152).

As per claim 15:

Howell substantially teaches a method comprising:

authenticating a user of the knowledge base 6:6-10);

determine the clearance level of a requested secure document (6:16-19);

determine the clearance level of the authenticated user (6:19-23);

comparing the clearance level of the requested document with the clearance level of the authenticated user (6:19-23);

and displaying the secure document to the authenticated user (6:23-26).

Howell fails to teach a method comprising:

obtain a document caveat;

obtain an authenticated user caveat;

comparing the authenticated user caveat with the document caveat to allow access to the obtained document caveat;

determining the access allowability of the obtained document caveat;

determine the allowance of both the document caveat and the clearance access to identify clearance of the authorized user to the requested secure document.

However, Erickson discloses a method wherein permissions function as caveats and document and user permissions are determined (10:59-60, 11:2-6) then compared (17:26-31). This comparison, used in conjunction with the clearance comparison determines the allowability of the user to the document (3:25-26).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize document permissions when determining user access to a document because this adds control to how the document is used since the user can only manipulate the document as defined by its permissions, hence, the document cannot be written or saved if it is not in the permissions of the document (10:61-65).

As per claim 16:

Howell and Erickson substantially teach a method as applied to claim 15 above and furthermore, Erickson teaches a method further comprising multiple authentication of a user prior to comparing the clearance level of the requested document with the clearance level of the authenticated user (24:4551).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to require the user to go through multiple authentication in order to ensure the user's identity and prevent identity theft.

Conclusion

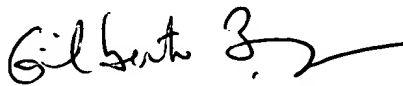
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristin Derwich whose telephone number is 571-272-7958. The examiner can normally be reached on Monday - Friday, 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristin Derwich
Examiner
Art Unit 2132

KD


GILBERTO BARRON JR.
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